

IN THE CLAIMS

1. (Currently amended) A breath testing device housing for a breath tester, comprising:

a base to be gripped by an operator and having a front edge and an opposite back edge;

a display oriented on the ~~back~~ front edge of the base ~~and aligned with an operator's direct line of view while gripping said base~~;

a mouthpiece interface for ~~interfacing with~~ receiving a removable mouthpiece, said mouthpiece interface being oriented with respect to said base such that when the operator stands in front of the subject and a subject blows into the mouthpiece, said display is in the direct line of view of the operator and not in the direct line of view of the subject;

the mouthpiece interface comprising a generally U-shaped channel sized to receive the mouthpiece therein, the mouthpiece being configured to be pivotally coupled ~~in one orientation within~~ with respect to the mouthpiece interface;

a manual sample button located on the ~~front~~ back edge of said base opposite the display; and

an alcohol sensor fluidly connected to the mouthpiece interface, the alcohol sensor being adapted to detect alcohol present in the subject by the subject blowing into the mouthpiece.

2-3. Cancelled.

4. (Currently amended) A housing in accordance with claim 1 wherein said housing comprises a first sidewall, ~~and an opposite second sidewall coupled together to~~ the first sidewall at the front edge and the back edge, ~~said first and second sidewalls extending radially between a top surface, and a bottom surface, said display located along said front edge, said mouthpiece interface being located along on said top surface.~~

5. (Currently amended) A housing in accordance with claim 4 wherein said mouthpiece interface is oriented such that when ~~[[a]]~~ the mouthpiece is coupled thereto, the mouthpiece extends outward from said back edge.

6. (Currently amended) A housing in accordance with claim 5 wherein said mouthpiece interface is further oriented such that when ~~[[a]]~~ the mouthpiece is coupled thereto, the mouthpiece extends at least one of obliquely from said top surface and substantially parallel to said top surface.

7. Cancelled.

8. (Currently amended) A housing in accordance with claim ~~[[4]]~~ 10 further comprising at least one actuator for controlling illumination of ~~at least a portion of~~ said ~~housing interface~~.

9. (Original) A housing in accordance with claim 1 wherein discard breath is not directed at the operator.

10. (Original) A housing in accordance with claim 1 further comprising at least one of a light source for illuminating at least a portion of said interface, and an opening for light to pass from an interior of said housing to an exterior of said housing for illuminating at least a portion of said interface.

11. (Original) A housing in accordance with claim 1 further comprising a mouthpiece ejector for facilitating removal of a mouthpiece from said housing.

12. (Currently amended) A housing in accordance with claim ~~[[1]]~~ 4 wherein said ~~first and second sidewalls of the~~ housing ~~is~~ are symmetrical.

13. (Currently amended) A mouthpiece for a breath testing device for testing the breath of a subject, said mouthpiece comprising a body ~~comprising~~ having a first end~~[[.]]~~ and a second end, said first end being open so that ~~[[a]]~~ the subject can blow air into said mouthpiece, said second end being closed, said mouthpiece further comprising at least one port for channeling air blown into said mouthpiece into the breath testing device, a ~~display~~, and a discard breath outlet oriented such that discard breath is not directed into the

device or at an operator of the breath testing device during testing ~~when the operator views the display~~, said mouthpiece having a cross-sectional shape being one of: a D-shaped cross-sectional shape and a V-shaped cross-sectional shape.

14. Cancelled.

15. (Currently amended) A mouthpiece in accordance with claim 13 wherein said mouthpiece is configured for snap-fit ~~snaps into~~ engagement with the breath testing device.

16. (Original) A mouthpiece in accordance with claim 13 further comprising a stop extending radially outward from said body to facilitate positioning a subject's mouth during breath testing.

17-22. Cancelled.

23. (Currently amended) A breath tester housing assembly for a breath tester comprising:

a housing comprising a base, a display, and a mouthpiece interface, said base being adapted to be gripped by an operator during testing, said display being oriented with respect to said housing to be in line with an operator's direct line of view while gripping said base; ~~and~~

a mouthpiece configured to be removably coupled to said mouthpiece interface, said mouthpiece comprising ~~[[a]]~~ an elongate body comprising at least one substantially planar surface, an open end, and a closed end, the closed end and substantially planar surface of the mouthpiece interface including a stop for positively locating the mouthpiece, the mouthpiece being placed against the ~~stop~~ mouthpiece interface in a testing position; and

an alcohol sensor in fluid communication with the mouthpiece and mouthpiece interface, the alcohol sensor being adapted to detect alcohol present in a subject by the subject blowing into the mouthpiece.

24. (Original) A housing assembly in accordance with claim 23 wherein said housing further comprises at least one actuator for controlling operation of the breath tester.

25. (Previously presented) A housing assembly in accordance with claim 24 wherein said at least one actuator comprises a manual sample button located on an edge of said housing base that is opposite an edge where said display is located, such that when an operator stands with the subject and said display in the operator's direct field of view, the operator may at any time press said manual sample button without compromising the operator's grip on said base.

26. (Currently amended) A housing assembly in accordance with Claim 23 wherein said housing comprises a front edge, a back edge, a first sidewall, ~~and an opposite second sidewall coupled together to the first sidewall~~ at [[a]] the front edge and [[a]] the back edge, ~~said first and second sidewalls extending radially between a top surface and a bottom surface~~, said display located ~~along on~~ said front edge, said mouthpiece interface being located ~~along on~~ said top surface.

27. (Currently amended) A housing assembly in accordance with claim 26 wherein said mouthpiece interface is oriented with respect to said housing such that said mouthpiece extends outward from said ~~housing~~ back edge of the housing when said mouthpiece is coupled to said ~~housing~~ mouthpiece interface.

28. (Currently amended) A housing assembly in accordance with claim 26 wherein said mouthpiece interface is further oriented such that when [[a]] the mouthpiece is coupled thereto, the mouthpiece extends at least one of obliquely from said top surface and substantially parallel to said top surface.

29. (Currently amended) A housing assembly in accordance with claim 23 wherein said mouthpiece is further oriented with respect to said housing such that discard breath discharged from said ~~housing~~ mouthpiece is not directed at the operator.

30. Cancelled.

31. (Currently amended) A housing assembly in accordance with claim 23 ~~wherein said housing further comprises at least one actuator for controlling illumination of at least a portion of said housing~~ said interface.

32. (Original) A housing assembly in accordance with claim 23 wherein said mouthpiece interface further comprises at least one of a light source for illuminating at least a portion of said interface, and an opening for light to pass from an interior of said housing to an exterior of said housing for illuminating at least a portion of said interface.

33. (Original) A housing assembly in accordance with claim 23 wherein said housing further comprises a mouthpiece ejector for facilitating removal of said mouthpiece from said housing.

34. (Original) A housing assembly in accordance with claim 23 wherein a portion of said mouthpiece has a selected cross-sectional shape, said selected cross-sectional shape being one of: a D-shaped cross-sectional shape and a V-shaped cross-sectional shape.

35. (Currently amended) A housing assembly in accordance with claim 23 wherein ~~a first end of said mouthpiece body is closed and an opposed second end of said body is open to enable a subject being tested to blow air into said body~~, said body further comprising at least one port so that air blown into said body can pass through said port.

36. (Currently amended) A breath tester housing assembly for a breath tester comprising:

a housing comprising a base and a display, said base being configured to be gripped by an operator during testing, said display being oriented with respect to said housing to be in line with ~~[[an]]~~ the operator's direct line of view while gripping said base and while the operator stands in front of ~~the~~ a subject in a sideways stance; ~~and~~

a mouthpiece configured to be removably coupled to said housing and to extend obliquely from said housing, said mouthpiece being configured to be pivotally coupled ~~in one orientation within~~ to said housing; and

an alcohol sensor in fluid communication with the mouthpiece ~~and mouthpiece interface~~, the alcohol sensor being adapted to detect alcohol present in ~~[[a]]~~ the subject by the subject blowing into the mouthpiece.

37. (Original) A housing assembly in accordance with claim 36 wherein said housing further comprises a mouthpiece interface sized to receive said mouthpiece in sealing contact therein.

38. (Original) A housing assembly in accordance with claim 37 wherein said mouthpiece interface comprises at least one of a light source for illuminating at least a portion of said interface, and an opening for light to pass from an interior of said housing to an exterior of said housing for illuminating at least a portion of said interface.

39. (Original) A housing assembly in accordance with claim 38 wherein said housing further comprises at least one actuator for controlling illumination of said mouthpiece interface.

40. Cancelled.

41. (Currently amended) A housing assembly in accordance with claim 38 wherein said mouthpiece is further oriented with respect to said housing such that discard breath discharged from said ~~housing mouthpiece~~ is not directed at the operator.

42. (Currently amended) A housing assembly in accordance with claim ~~37~~ 36 wherein said mouthpiece comprises at least one of a tube and a funnel.

43. (Currently amended) A housing assembly in accordance with claim ~~37~~ 36 wherein said housing comprises at least one actuator for controlling operation of the breath tester, said at least one actuator being located on an edge of said housing base that is opposite an edge where said display is located, such that when ~~[[an]]~~ the operator stands with the subject and said display in the operator's direct field of view, the operator may at any time press said at least one actuator without compromising the operator's grip on said base.

44. (Currently amended) A housing assembly in accordance with claim ~~37~~ 36 wherein ~~at least a portion of said mouthpiece has a cross-sectional shape that is~~

~~substantially similar to at least portion a cross-sectional shape defined by said mouthpiece interface, such that said mouthpiece interface facilitates being sized and shaped to facilitate~~
positioning said mouthpiece in proper alignment with respect to said housing.

45. (Currently amended) A housing assembly in accordance with claim ~~37~~
36 wherein said mouthpiece has a selected cross-sectional shape, said selected cross-sectional shape being one of: a D-shaped cross-sectional shape and a V-shaped cross-sectional shape.

46. (Currently amended) A housing assembly in accordance with claim ~~37~~
36 wherein said mouthpiece comprises a body having a first end and a second end, said first end of said mouthpiece body being closed and the second end of said body being open to enable ~~[[a]]~~ the subject being tested to blow air into said body, said first end having a semi-circular cross-sectional profile.

47. (Currently amended) A ~~breath testing device~~ mouthpiece for a breath testing device, said mouthpiece comprising a first end, a second end, and a body extending therebetween, a portion of said body having a selected cross-sectional shape, said selected cross-sectional shape being one of: a D-shaped cross-sectional shape and a V-shaped cross-sectional shape, said body further comprising a passageway extending through said body from said first end towards said second end, said passageway for channeling air blown into said mouthpiece into the breath testing device, said mouthpiece being configured to pivotally couple ~~in one orientation within~~ with a breath testing device interface of the breath testing device.

48. (Original) A mouthpiece in accordance with claim 47 wherein said body further comprises an external surface, an internal surface, and at least one inlet port extending therebetween, said inlet port for channeling air from the passageway into the breath testing device.

49. (Original) A mouthpiece in accordance with claim 47 wherein said body further comprises an external surface, an internal surface, and at least one outlet port extending therebetween, said outlet port for channeling discard breath air from the mouthpiece during testing.

50. (Currently amended) A mouthpiece in accordance with claim 49 wherein said at least one outlet port is oriented ~~with respect to said mouthpiece~~ such that discard breath is not directed at an operator of the breath testing device during testing.

51. (Original) A mouthpiece in accordance with claim 47 wherein at least a portion of said body comprises a substantially planar surface.

52. (Currently amended) A mouthpiece in accordance with claim 51 wherein said body further comprises an external surface, an internal surface, and at least one port extending therebetween, said internal surface defining said passageway, said at least one port ~~extends~~ extending through said substantially planar surface.

53. (Original) A mouthpiece in accordance with claim 47 wherein one of said first end and said second end is rounded to facilitate engagement with the breath testing device.

54. (Currently amended) A mouthpiece for a breath testing device, said mouthpiece comprising a body extending between a first end and a second end, said body comprising a first body portion, a second body portion, and a passageway defined at least partially within said first and second body portions, said first body portion extending from said first end to said second body portion, said second body portion extending from said second end to said first body portion, said passageway being substantially concentrically aligned with respect to said body and extending from said first end towards said second end for channeling air blown into said first end into the breath ~~tester~~ testing device, at least one of said first and second body portions comprises at least one port extending between an external surface of said body and said passageway, said at least one port being defined within said first body portion for channeling discard breath air from said mouthpiece during testing, said at least one port is oriented ~~with respect to said mouthpiece~~ such that discard breath is not directed towards an operator of the breath testing device during testing.

55-56. Cancelled.

57. (Currently amended) A mouthpiece in accordance with claim 54 wherein said second end is closed, said first end ~~is~~ being open to enable a subject being tested to blow air into said mouthpiece.

58. (Original) A mouthpiece in accordance with claim 57 wherein said second end is rounded to facilitate engagement with the breath testing device.

59. (Currently amended) A mouthpiece in accordance with claim ~~57~~ 54 wherein one of said first body portion and said second body portion has a selected cross-sectional shape, said selected cross-sectional shape being one of: a D-shaped cross-sectional shape and a V-shaped cross-sectional shape.

60. (Original) A mouthpiece in accordance with claim 58 wherein one of said first body portion and said second body portion has a substantially semi-circular cross-sectional shape.

61. (Currently amended) A breath testing device ~~housing~~ comprising:

a base to be gripped by either hand of an operator and having a front edge and an opposite back edge;

a display oriented on the ~~back~~ front edge and ~~aligned~~ configured for alignment with ~~[[an]]~~ the operator's direct line of view while gripping the base during use of the breath testing device;

a removable mouthpiece extending away from the display, the mouthpiece including at least one port for channeling air blown into the mouthpiece by a subject into the breath testing device and a discard breath outlet oriented such that discard breath is not directed at ~~[[an]]~~ the operator of the breath testing device during testing when the operator views the display;

a mouthpiece interface for receiving the removable mouthpiece, said mouthpiece being configured to pivotally couple ~~in one orientation within a breath testing device~~ with the mouthpiece interface, the mouthpiece interface and mouthpiece being oriented with respect to the base such that, when the operator holds the base in either hand

and stands in front of the subject, and [[a]] the subject blows into the mouthpiece, the display is not in the direct line of view of the subject; and

an alcohol sensor in fluid communication with the mouthpiece and mouthpiece interface, the alcohol sensor being adapted to detect alcohol present in the subject by the subject blowing into the mouthpiece.